

From the Upper Chamber



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Report for Thursday, March 2, 2006

The twenty-sixth day of the 2006 legislative session was called to order by Lieutenant Governor **Mark Taylor**.

Senator **Don Balfour** of the 9th stated that the journal had been read and was found to be correct.

Senate Bills 619-637; Senate Resolutions 1064 and 1067; House Bills 276, 920, 1031, 1112, 1141, 1209, 1291, 1293, 1390, 1414, 1415, 1428, 1429, 1432 and 1434 were read for the first time and assigned to their respective Committees.

Following the reports of Standing Committees and the second reading of Bills and Resolutions, the morning roll call was taken.

Lt. Gov. **Taylor** then recognized Sen. **Casey Cagle** of the 49th to lead the Senate in the Pledge of Allegiance. Sen. **Cagle** introduced the *Chaplain of the Day*, Pastor **Jeff Crook** of the Blackshear Place Baptist Church of Gainesville, who led the Senate in the daily devotional.

Sen. **George Hooks** of the 14th was recognized to introduce 2005 State AAA Football Champion Peach County High School Trojans, who were present in the gallery.

Sen. **John Wiles** of the 37th took the well on a Point of Personal Privilege to speak about local legislation in the State and Local Governmental Operations Committee.

Sen. **Sam Zamarripa** of the 36th took the well on a Point of Personal Privilege to speak about three news articles regarding federal immigration reform.

Sen. **Vincent Fort** of the 39th took the well on a Point of Personal Privilege to clarify two pieces of legislation he introduced last week dealing with the death penalty.

There were no unanimous consents.

SR 1062, 1063, 1066 and 1068-1076 were read and adopted.

The Local Consent Calendar, consisting of SB 584 and HB 1142, 1251, 1269, 1312, 1321, 1343 and 1351, passed by a vote of 45 to 2.

Sen. **Dan Moody** of the 56th moved that SB 596, incorporating the City of Johns Creek in Fulton County, be immediately transmitted to the House. Without objection the motion carried.

SB 520 was then read, and President Pro Tempore **Eric Johnson** of the 1st took the well to present the bill, which changes provisions that authorize the Board of Public Safety to provide badges and revolvers to sworn officers.

The Committee Amendment was adopted by a vote of 35 to 0.

SB 520 passed as amended by a vote of 50 to 0.

The Secretary then read SB 532, which enhances the protection of licensed nuclear facilities. Sen. **Jim Whitehead, Sr.** of the 24th took the well to explain the bill. He yielded to questions from Sen. **Steve Thompson** of the 33rd.

The Committee Substitute was adopted by a vote of 37 to 0.

SB 532 passed by Substitute by a vote of 46 to 1.

Sens. **David Adelman** of the 42nd and **Steen Miles** of the 43rd introduced the *Doctor of the Day*, Dr. **Gulshan S. Harjee** of Decatur.

HB 1032 was then read, and Sen. **Mitch Seabaugh** of the 28th presented the bill, which brings Georgia laws in line with federal restrictions for licenses to carry pistols or revolvers.

Sen. **Chip Rogers** of the 21st took the well to present Amendment 1, which would add language that prohibits any person not lawfully present in the United States from obtaining a license.

Amendment 1 was adopted by a vote of 41 to 0.

HB 1032 passed as amended by a vote of 51 to 1.

SB 396 was read, and Sen. **Greg Goggans** of the 7th took the well to present the bill. The legislation provides that a person who is attacked has no duty to retreat so long as they are in any place they legally have the right to be. He yielded to questions from Sen. **Thompson** of the 33rd, **Regina Thomas** of the 2nd, **Ed Harbison** of the 15th, **Emanuel Jones** of the 10th, **Judson Hill** of the 32nd, **Fort, Horacena Tate** of the 38th, **Renee Unterman** of the 45th and **Miles**.

Sen. **Thompson** of the 33rd took the well to highlight his concerns with some parts of the bill.

Sen. **Thomas** of the 2nd took the well to speak against the bill.

The Committee Substitute was adopted by a vote of 35 to 7.

SB 396 passed by Substitute by a vote of 40 to 13.

After returning from a lunch recess, the Secretary read SB 77, the *Unborn Victims of Violence Act*. The bill revises the definition of feticide, prohibits the voluntary manslaughter of an unborn child and prohibits assaults and batteries of unborn children under certain circumstances. It also provides for punishment of persons convicted of such offenses. Sen. **Unterman** presented the bill.

Amendment 1 was read, and Sen. **Steve Henson** of the 41st took the well to explain his amendment, which will prevent the creation of a new code section. He yielded to questions from Sen. **Balfour**.

Sen. **Unterman** returned to the well to speak against Amendment 1. She yielded to questions from Sens. **Balfour** and **Henson**.

Amendments 2 and 3 were then read.

Sen. **Thomas** of the 2nd took the well to speak against the bill.

Sen. **Gloria Butler** of the 55th took the well to speak to Amendments 2 and 2a. She yielded to questions from Sen. **John Wiles** of the 37th.

Sen. **Tate** took the well to speak to Amendment 3. She yielded to questions from Sens. **Wiles**, **Balfour** and **Robert Brown** of the 26th.

Sen. **Balfour** took the well to speak in support of the bill and against the amendments. He yielded to questions from Sen. **Butler**.

Sen. **Thompson** of the 33rd took the well to speak in support of the amendments. He yielded to questions from Sen. **Unterman**.

Sen. **Smith** took the well to explain his Amendments 1a, 1b, 2b, 3b and 4a.

Sen. **Valencia Seay** of the 34th took the well to speak to Amendment 4.

Sen. **Henson** returned to the well to speak against Amendment 1a.

Sen. **Unterman** took the well to speak to the amendments, and to close the debate on the bill.

Sen. **Thompson** of the 33rd took the well to speak to Amendment 1.

Sen. **Smith** returned to the well to present Amendment 5, which would be necessary to make language consistent if the other Amendments are adopted.

Sen. **Smith** then moved to withdraw Amendment 1a. Without objection, the motion carried.

Sen. **Unterman** took the well to speak in support of Amendment 5.

Amendment 1b was adopted by a vote of 33 to 14.

Amendment 1 as amended was adopted by a vote of 48 to 0.

Amendment 2b was adopted by a vote of 37 to 11.

Amendment 2a failed by a vote of 6 to 36.

Sen. **Butler** moved to withdraw Amendment 2. Without objection, it was withdrawn.

Amendment 3b was adopted by a vote 38 to 8.

Sen. **Tate** moved to withdraw Amendment 3a and 3. Without objection they were withdrawn.

Amendment 4b failed by a vote of 7 to 37.

Amendment 4a was adopted by a vote of 33 to 12.

Sen. **Seay** moved to withdraw Amendment 4. Without objection, it was withdrawn.

Sen. **Unterman** moved for a roll call vote on Amendment 5.

Sen. **Smith** moved to withdraw Amendment 5. Without objection, it was withdrawn.

The Committee Substitute was adopted by a vote of 37 to 9.

SB 77 passed by Substitute as amended 37 to 15.

The Secretary then read SB 123, which allows pharmacists to provide written objection to filling drugs that induce abortion.

Sen. **Miles** took the well to explain Amendment 1, which would include language that would include male sexual enhancing drugs. She yielded to questions from Sen. **Thomas** of the 2nd.

Sen. **Miles** moved for a roll call vote on the amendment. The motion was sustained.

Amendment 1 failed by a vote of 21 to 31.

The Committee Substitute was adopted by a vote of 40 to 4.

SB 123 passed by Substitute by a vote of 35 to 15.

SB 429 was read. Sen. **Nancy Schaefer** of the 50th took the well to present the bill, which would require a sonogram prior to having an abortion. She yielded to questions from Sen. **Seay**.

The Committee Substitute was adopted by a vote of 24 to 8.

SB 429 passed by Substitute by a vote of 35 to 17.

The Secretary then read SB 415, which provides that surviving spouses of military personnel shall be eligible students for the HERO scholarships.

The Committee Substitute was adopted by a vote of 39-0.

SB 415 passed by Substitute by a vote of 49 to 0.

Majority Leader **Tommie Williams** of the 19th then moved that the Senate stand adjourned until Monday, March 6, at 10:00 a.m.

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